

21972. Adulteration of butter. U. S. v. 1 Barrel of Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32358. Sample no. 66118-A.)

This case involved a shipment of butter that was found to contain clumps of mold, rodent and cow hairs, fragments of feathers, and larvae.

On January 18, 1934, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1 barrel containing 150 pounds of butter at New York, N.Y., alleging that the article had been shipped in interstate commerce on or about January 3, 1934, by the Barrett Produce Co., from Dalton, Ga., and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that it consisted wholly or in part of a filthy, decomposed, or putrid animal substance.

On February 10, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, Acting Secretary of Agriculture.

21973. Adulteration of oysters. U. S. v. 400 Cans and 130 Cans of Oysters. Decree of destruction entered. (F. & D. no. 31993. Sample nos. 41242-A, 56439-A.)

This case involved a shipment of oysters that were found to be in part decomposed.

On February 17, 1934, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 530 1-gallon cans of oysters at Minneapolis, Minn., alleging that the article had been shipped in interstate commerce on or about January 15, 1934, by S. H. (W. H.) McGee & Co., from Baltimore, Md., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Seal Brand Raw Oysters Packed by W. H. McGee & Co., Baltimore, Md."

It was alleged in the libel that the article was adulterated in that it consisted wholly or in part of a decomposed animal substance.

On February 20, 1934, upon representation by the United States attorney that the product was so decomposed as to be unfit for food and would become a nuisance unless destroyed immediately, judgment was entered ordering its destruction by the United States marshal.

M. L. WILSON, Acting Secretary of Agriculture.

21974. Adulteration of butter. U. S. v. 64 Cubes of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. no. 32366. Sample no. 54758-A.)

This case involved a shipment of butter that contained less than 80 percent by weight of milk fat, the standard for butter established by Congress.

On January 12, 1934, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 64 cubes of butter at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about January 2, 1934, having been consigned by the Sentinel-Missoula Creamery, Inc., from Missoula, Mont., and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat as provided by the act of March 4, 1923.

On February 9, 1934, the Sentinel-Missoula Creamery Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$1,655, conditioned that it should not be sold or disposed of contrary to the Federal Food and Drugs Act and all other laws.

M. L. WILSON, Acting Secretary of Agriculture.